

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TAMMY MARIE STOKES,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Civil Case No. 13-13068
Honorable Linda V. Parker

Defendant.

**OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE'S JULY
29, 2014 REPORT AND RECOMMENDATION; (2) DENYING
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; AND (3)
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

On July 17, 2013, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for disability insurance benefits. On that date, the matter was referred to Magistrate Judge Mona K. Majzoub for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 3.) The parties subsequently filed cross-motions for summary judgment. On July 29, 2014, Magistrate Judge Majzoub issued her R&R recommending that this Court deny Plaintiff's motion, grant Defendant's motion, and affirm the Social

Security Commissioner's decision. (ECF No. 14.)

In her R&R, Magistrate Judge Majzoub concludes that the administrative law judge ("ALJ") did not err in assessing Plaintiff's credibility or formulating a hypothetical question to the vocational expert. Magistrate Judge Majzoub also finds substantial evidence in the record supporting the ALJ's decision. Magistrate Judge Majzoub therefore recommends that this Court deny Plaintiff's motion, grant Defendant's motion, and affirm the Commissioner's decision finding Plaintiff not disabled for purposes of the Social Security Act. At the conclusion of the R&R, Magistrate Judge Majzoub advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at 14-15.) She further specifically advises the parties that "[f]ailure to file specific objections constitutes a waiver of any further right to appeal." (*Id.* at 14.) No objections to the R&R were filed.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Majzoub. The Court therefore adopts the magistrate judge's July 29, 2014 Report and Recommendation.

Accordingly,

IT IS ORDERED, that Plaintiff's motion for summary judgment (ECF No. 8) is **DENIED**;

IT IS FURTHER ORDERED, that Defendant's motion for summary judgment (ECF No. 11) is **GRANTED**.

S/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: September 24, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 24, 2014, by electronic and/or U.S. First Class mail.

S/ Richard Loury
Case Manager